

1 A bill to be entitled
 2 An act relating to reservations of the Miccosukee Tribe of
 3 Indians of Florida; amending s. 285.16, F.S.; specifying
 4 that the state's jurisdiction over criminal offenses
 5 committed within Indian reservations and over civil causes
 6 of action arising on reservations between Indians or other
 7 persons or to which Indians or other persons are parties
 8 does not apply to Indian reservations of the Miccosukee
 9 Tribe of Indians of Florida; reenacting s. 285.061(3),
 10 F.S., relating to transfer of land to United States in
 11 trust for the Seminole and Miccosukee Indian Tribes, and
 12 s. 285.18(2)(c), F.S., relating to tribal councils, to
 13 incorporate the amendment to s. 285.16, F.S., in
 14 references thereto; providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Section 285.16, Florida Statutes, is amended to
 19 read:

20 285.16 Civil and criminal jurisdiction on Indian
 21 reservations; exception reservation.--

22 (1) The State of Florida hereby assumes jurisdiction over
 23 criminal offenses committed by or against Indians or other
 24 persons within Indian reservations and over civil causes of
 25 actions between Indians or other persons or to which Indians or
 26 other persons are parties rising within Indian reservations.

27 (2) The civil and criminal laws of Florida shall obtain on
 28 all Indian reservations in this state and shall be enforced in
 29 the same manner as elsewhere throughout the state.

30 (3) Subsections (1) and (2) do not apply to Indian
 31 reservations of the Miccosukee Tribe of Indians of Florida.

32 Section 2. For the purpose of incorporating the amendment
 33 to section 285.16, Florida Statutes, in a reference thereto,
 34 subsection (3) of section 285.061, Florida Statutes, is
 35 reenacted to read:

36 285.061 Transfer of land to United States in trust for
 37 Seminole and Miccosukee Indian Tribes.--

38 (3) All the provisions of this chapter, not in conflict
 39 with this section, remain in full force and effect. The state
 40 reserves both civil and criminal jurisdiction over said
 41 reservations in accordance with ss. 285.16 and 285.165 and
 42 applicable federal law. The transfer of lands in trust for the
 43 Miccosukee Tribe of Indians of Florida made pursuant to the
 44 authority of this section remains subject to all of the rights,
 45 easements, and reservations in favor of the South Florida Water
 46 Management District provided in the transfer.

47 Section 3. For the purpose of incorporating the amendment
 48 to section 285.16, Florida Statutes, in a reference thereto,
 49 paragraph (c) of subsection (2) of section 285.18, Florida
 50 Statutes, is reenacted to read:

51 285.18 Tribal council as governing body; powers and
 52 duties.--

53 (2) The governing bodies of the special improvement
 54 districts shall have the duty and power:

55 (c) To employ personnel to exercise law enforcement
56 powers, including the investigation of violations of any of the
57 criminal laws of the state occurring on reservations over which
58 the state has assumed jurisdiction pursuant to s. 285.16.

59 1. All law enforcement personnel employed shall be
60 considered peace officers for all purposes and shall have the
61 authority to bear arms, make arrests, and apply for, serve, and
62 execute search warrants, arrest warrants, capias, and other
63 process of the court, and to enforce criminal and noncriminal
64 traffic offenses, within their respective special improvement
65 districts.

66 2. All law enforcement personnel shall be entitled to the
67 privileges, protection, and benefits of ss. 112.19 and 870.05.

68 Section 4. This act shall take effect upon becoming a law.